

This is also a main reason why we feel the creation of a "two step" acquisition process is not required and is, in fact, counter to Congressional intent. Contracting officers cannot

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possibly conduct the type of market research called for in the section without considering pricelists or other "apples to apples" comparisons where they can judge FPI prices against commercial market alternatives. Again, we do not see where Section 811 creates a requirement for a new multi-step acquisition method. DOD buyers can research whether FPI meets their needs and place a best value order much more easily when they have accurate comparisons on specific task orders in front of them.

The Coalition feels strongly that creating a new step builds in a bias in favor of FPI that subverts the intent of Congress that DOD buyers be able to judge on a timely and equal basis whether or not FPI products meet their needs. Ms. Lee, herself, stated that many contracting officers would default to FPI if confronted with extra steps.

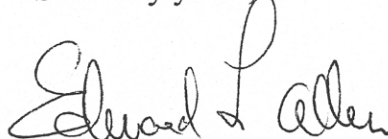
### **Conclusion**

If Congress had intended for FPI to continue its previous status as an impenetrable citadel of acquisition preference they would not have gone to the trouble of creating Section 811 in the first place. We do not see how Congress could have been clearer in stating that FPI's stranglehold on procurement was intended to be significantly loosened and that the resulting rule should not add significant new burdens to the acquisition process. If anything, Section 811 places the burden on FPI to show why its products measure up, not why DOD should be allowed to go elsewhere.

The final rule, therefore, should be clear on this. A simple, fast, and easy to follow process is the only one that will be in line with what Congress intended.

Again, we appreciate the opportunity to submit these comments.

Sincerely yours,

A handwritten signature in cursive script, reading "Edward L. Allen".

Edward L. Allen  
Executive Vice President